

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IDEAL STEEL SUPPLY CORP.,	:	Docket No. 02 Civ. 4788 (RMB)
	:	
	Plaintiff,	: MOTION FOR SANCTIONS
		AGAINST PLAINTIFFS FOR
- against -		: THE PRESENTATION OF
		<u>A FALSE DECLARATION</u>
JOSEPH ANZA, VINCENT ANZA and	:	
NATIONAL STEEL SUPPLY, INC.,	:	
	:	
	Defendants.	

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PLEASE TAKE NOTICE that, upon the annexed Affirmation of Michael Levine, duly affirmed the 18th day of October, 2013, Defendants hereby move this Court for (1) the imposition of sanctions to the following extent: (i) directing the payment by Plaintiffs to Defendants of the costs and reasonable attorneys fees incurred in connection with the deposition of non-party Ramcharran Gopaul taken on October 9, 2013; and (ii) directing Plaintiffs' officers, Jack Brancato and Paul Brancato, and such other persons as may have participated in a fraud on the Court, to pay a fine to the Court Clerk in such amount as the Court deems appropriate (which amount is suggested to be no less than \$250,000.00) to punish Plaintiffs for submitting a false Declaration of non-party Ramcharran Gopaul (the "Gopaul Declaration") to the Court on or about January 12, 2009; (2) referring the matter to the United States Attorney's Office for the Southern District of New York for the institution of a criminal investigation as to (i) potential witness tampering and/or subornation of perjury as against Jack Brancato, Paul Brancato, and any other participants therein, in connection with the acquisition and submission of the Gopaul Declaration; (ii) the potential perjury of Ramcharran Gopaul in executing the Gopaul

Declaration, and (iii) the potential perjury of Jack Broncato and/or Paul Broncato in asserting under oath before this Court that Paul Broncato spoke to Ramcharran Gopaul in connection with the matters contained in the Gopaul Declaration in advance of the execution of the same (in view of Ramcharran Gopaul's denial that he had any such conversation with Paul Broncato); (3) directing Plaintiffs to reimburse Defendants for legal fees incurred in bringing the instant motion, and (4) awarding such other, further and different relief to the Defendants as to the Court may seem just, proper and equitable in the premises.

Dated: October 18, 2013

Levine & Associates, P.C.

By: 

Michael Levine (ML-5153)

15 Barclay Road

Scarsdale, NY 10583

Telephone (914) 600-4288

Fax (914) 725-4778

e-mail: ml@LevLaw.org

Attorneys for Defendants